



## FLORIDA VOTERS APPROVE TAX REFORM PACKAGE

A constitutional amendment approved by Florida voters on Jan 29, 2008, brought four fundamental changes to the State's property tax system.

1. \$25,000 increase in the Homestead Exemption.
2. Portability provision which allows homeowners to transfer all or part of their 'Save Our Homes' cap when they move to a new home.
3. 10% cap on increases in the annual assessment of non-homesteaded properties.
4. \$25,000 exemption on the Tangible Personal Property taxes, which businesses pay on equipment such as computers, office furniture and fixtures.

### ADDITIONAL \$25,000 HOMESTEAD EXEMPTION

#### Q: Do I have to apply for this additional homestead exemption?

A: Property owners who were receiving the first \$25,000 Homestead Exemption were automatically upgraded to the new \$50,000 benefit.

#### Q: How much will I save on the additional \$25,000 homestead?

A: This exemption will save most homeowners about \$250 a year in taxes.

#### Q: Can I also apply for other exemptions such as widow/widower, disability or senior exemption and qualify for the additional homestead exemption?

A: Yes. All other exemptions for which you qualify will remain intact.

#### Q: How is this additional exemption calculated?

A: If the assessed value of your property is \$50,000 or less, there will be no change in the exemptions for your property. If the assessed value of your property is greater than \$50,000, you will receive up to \$25,000 for the extra homestead exemption.

For Example:

Estimated Assessed Values	Current Exemption	Additional Exemption	Taxable Value for Counties, cities...	Taxable Values for School Board
\$45,863	\$25,000	\$0	\$20,863	\$20,863
53,890	\$25,000	$\$53,890 - \$50,000 = \$3,890$	\$25,000	\$28,890
\$67,250	\$25,000	$\$67,260 - \$50,000 = \$17,250$	\$25,000	\$42,250
\$75,000	\$25,000	\$25,000	\$25,000	\$50,000
\$188,753	\$25,000	\$25,000	\$138,753	\$163,753

In doing the calculations, it is important to note that the additional \$25,000 Homestead Exemption benefit does not apply to school board taxes.

## **TRANSFER OF HOMESTEAD ASSESSMENT DIFFERENCE (Also known as "PORTABILITY")**

### **Q: What is Portability?**

A: Since 1994, property owners with Homestead Exemption have had increases in their annual assessments capped at a maximum of 3% or the rate of inflation, whichever is lower. This Assessment Limitation, known as the 'Save Our Homes Cap' has resulted in significant tax savings to homeowners. The value of the cap is the difference between the market value of the property and the assessment limitation resulting from 'Save our Homes.' Under the Portability provision of the new law, homeowners can now transfer (port) up to \$500,000 of the accumulated savings to their next homesteaded property. If they buy a less expensive home, only a portion of the difference is transferable to the new home.

### **Q: How is it calculated?**

A: To help homeowners calculate approximately how much they can port, property owner can use the online tax estimator. Use this device to estimate your potential tax savings.

### **Q: When does Portability come into effect?**

A: Portability went into effect for 2008.

### **Q: If I sold my property in 2006, do I qualify for Portability?**

A: No. The portable cap only applies if you sold or abandoned your homestead exemption as of 2007 or later.

**2008 Applicants:** If you benefited from a Save Our Homes assessment limitation (cap value) on a previous property in 2007, then you can port that amount to 2008.

**2009 Applicants:** The 2-year rule applies beginning in 2009. If you received an assessment limitation (cap value) in either 2007 or 2008, then you can port the amount to 2009.

### **Q: Do I have to sell my home before I can qualify for Portability?**

A: No. But you do need to abandon your previous homestead in order to port the assessment limitation.

### **Q: If I owned a property with another owner/s the person/s still live/s in my previous home, can I apply for Portability?**

A: The law requires that the previous exemption be abandoned or forfeited before you can port any of the benefit of the cap value. In other words, the exemption for the previous property must be cancelled by all previous owners.

### **Q: How is the Homestead Assessment Difference (HAD) apportioned among owners?**

A: The Homestead Assessment Difference is apportioned among all recipients of the Homestead Exemption, not among the owners. In other words, if four people own the property but only one person applied for and received the Homestead Exemption, then that recipient is eligible to port the full amount.

### **Q: Do I have to purchase a new property to get the Portability benefit?**

A: No. You can transfer the cap value to another property you purchased in a previous year.

### **Q: When do I apply for Portability?**

A: You must file a Homestead Exemption and portability application (DR-501T) by March 1.

**Q: How do I apply for Portability?**

A: Complete a Homestead Exemption application and the DR-501T "Transfer of Homestead Assessment Difference" and return the forms to the Property Appraisal Department by March 1. If your previous property was in another county we will forward the DR-501R to the previous county in order for you to obtain the portable cap value from your previous home.

**Q: If I have Portability, can I also apply for additional exemptions such as widow/widower, disability or senior exemption?**

A: Yes. "Portability" is an additional benefit.

**Q: What is the maximum amount I can "port" to my new property?**

A: The maximum amount you can port is \$500,000.

**Q: What is the formula for the Portability?**

A: For example, if you are moving to a *more expensive home*:

	Previous Property	New Property
Market	\$350,000	\$400,000
Assessed	200,000	See next line
Cap Value	<u>150,000</u>	<u><math>\\$350,000 - \\$200,000 = (\\$150,000)</math></u>
Adjusted Assessed	NA	\$250,000

If you move to a *less expensive home*:

	Previous Property	New Property
Market	\$350,000	\$300,000
Assessed	200,000	See next line
Cap Value	<u>150,000</u>	<u><math>\\$300,000 / \\$350,000 = .857 \times \\$150,000 = (\\$128,571)</math></u>
Adjusted Assessed	NA	\$171,429

## **10% CAP FOR NON-HOMESTEADED PROPERTIES**

**Q: When will this become effective?**

A: This will be effective for your 2009 property tax taxes.

**Q: How to do I apply for the 10% cap?**

A: All properties without a Homestead Exemption will automatically receive this benefit. No application is required.

**Q: Can I get this exemption on my homesteaded property?**

A: No. This exemption is only for "Non-homesteaded" properties.

**Q: What does "Non-homesteaded property" mean?**

A: The Miami-Dade Property Appraisal Department is awaiting a final definition from the Florida Department of Revenue. However, the Department understands that the targeted properties are those that are not benefiting from a homestead exemption, such as commercial properties, rental properties and vacant land.

**Q: Will the 10% cap reduce my taxes?**

A: The 10% cap may reduce taxable values. The tax rates adopted by the various taxing authorities will determine the tax savings.

**Q: Does the 10% cap apply to the whole property?**

A: It does. However, the 10% limitation does not apply to School Board taxes.

## **\$25K TANGIBLE PERSONAL PROPERTY (TPP) EXEMPTION**

**Q: What is Tangible Personal Property?**

A: This is an assessment for the equipment, furniture and fixtures used by business and rental properties. Assessment of TPP at rental properties may include items such as stoves, refrigerators, etc.

**Q: How do I apply for this exemption?**

A: The Tangible Personal Property Return which businesses are required to file, shall be considered an application for the exemption and will be applied to the first \$25,000 in value for the tangible personal property.

**Q: When does this exemption become effective?**

A: This exemption is effective for the 2008 tax year and will be reflected in your 2008 TRIM notice and tax bill.

**Q: My business assets are less than \$25,000 and I received the new TPP exemption. Why am I still receiving a tax bill?**

A: Florida law requires every business entity to file a Tangible Personal Property return every year. If you were late in filing your TPP return or did not file at all, the penalties (up to 25%) are still assessed.

**Q: When must I file my Tangible Personal Property Return?**

A: All returns must be filed by April 1 unless an extension has been granted. All requests for a Filing Extension must be received (or postmarked by the Postal Service) by April 1.

**Q: Where do I submit my Tangible Personal Property Return or Filing Extension?**

A: Your Tangible Personal Property Return or Filing Extension Request must include the Tangible Personal Property folio number, name of the taxable entity and the property address.

*The regular Tangible Personal Property Tax Return should be mailed to:*

**Miami-Dade County Property Appraiser  
Tangible Personal Property Returns  
PO BOX 35-9040  
Miami, Florida 33135-9040**

*Requests for an extension should be sent to:*

**Miami-Dade County Property Appraiser  
Tangible Personal Property Extension Section  
PO BOX 45-4400  
Miami, Florida 33245-4400**

**Q: Who can I contact with additional questions?**

A: Please call: 786-331-5376 for Tangible Personal Property assistance. For help with Portability or Exemptions issues call: 786-331-5321.